AMENDMENTS IN THE SPECIFICATION

Please amend the paragraph beginning on page 11, line 7 as follows:

Figure 1A shows a schematic representation of the plasmid, pDATH-X (Dominant negative, Antisense, TET-ON controllable Heat shock promoter plasmid) -p53, which consists of four cassettes as follows. (1) TET-ON is a fusion of the coding sequences for amino acids 1-207 (SEQ ID NO:1) of the tetracycline (tet) repressor and the C-terminus ~~last 130 amino acid~~ transcription activation domain (SEQ ID NO:2) of the VP16 protein of the herpes simplex virus (Gossen M., *et al., Science*, 268:1766-1769 (1995)). In Cassette 1, the TET-ON sequence is placed under the control of the HSP and the tet operator binding site and pCMV. (2) HSP is the heat shock promoter consisting of the heat shock response element ~~(-260 to 30)~~ (SEQ ID NO:3) of the human heat shock 70 gene promoter (Voellmy R., *et al., Proc. Natl. Acad. Sci. USA* 82: 4949-4953 (1985)) linked to the minimal CMV promoter, pCMV (Gossen M., *et al., Science*, 268:1766-1769 (1995)). In cassette 2, the therapeutic gene, X, is placed under the control of the tetp-pCMV promoter. (3) ptet is the tet operator consisting of the 19 base pair (bp) inverted repeats (SEQ ID NO:4) of the operator O2 of TN10

particular descriptions of the invention briefly summarized above may be had by reference to certain embodiments thereof which are illustrated in the appended drawings. These drawings form a part of the specification. It is to be noted, however, that the appended drawings illustrate preferred embodiments of the invention and therefore are not to be considered limiting in their scope.

Figure 1 shows a schematic representation of the plasmid, pDATH-X (Dominant negative, Antisense, TET-ON controllable Heat shock promoter plasmid) -p53, which consists of four cassettes as follows. (1) TET-ON is a fusion of the coding sequences for amino acids 1-207 of the tetracycline (tet) repressor and the C-terminus last 130 amino acid transcription activation domain of the VP16 protein of the herpes simplex virus (Gossen M., *et al., Science*, 268:1766-1769 (1995)). In Cassette 1, the TET-ON sequence is placed under the control of the HSP and the tet operator binding site and pCMV. (2) HSP is the heat shock promoter consisting of the heat shock response element (-260 to 30) of the human heat shock 70 gene promoter (Voellmy R., *et al., Proc. Natl. Acad. Sci. USA* 82: 4949-4953 (1985)) linked to the minimal CMV promoter, pCMV (Gossen M., *et al., Science*, 268:1766-1769 (1995)). In cassette 2, the therapeutic gene, X, is placed under

the control of the tetp-pCMV promoter. (3) ptet is the tet operator consisting of the 19 base pair (bp) inverted repeats of the operator O2 of TN10 (Gossen M, and Bujard H., *Proc. Natl. Acad. Sci. USA* 89:5547-5551 (1992)) to which the tet repressor and TET-ON bind. In cassette 3, antisense TET-ON is placed under the control of the pCMV promoter. (4) Antisense TET-ON is an antisense sequence consisting of the complementary sequence to the first 80 bases of the TET-ON sequence including the ATG. In cassette 4, dominant negative TET-ON is placed under the control of the pCMV promoter. The Dominant negative TET-ON consists of the tet-repressor but without the VP16 transactivation domain, and it is placed under the control of the pCMV promoter. In the absence of heat or light, a background level of expression of the TET-ON sequence will result due to the leakiness of the minimal promoter pCMV.

Figure 2 depicts the pDATE vector. The plasmid, pDATE-X (Dominant negative, Antisense, TET-ON controllable EGR promoter expression plasmid) consists of four cassettes as follows: 1) in cassette 1, the TET-ON sequence is placed under the control of the EGRp, the tetracycline operator binding site and pCMV; 2) in cassette 2, the therapeutic gene, X, is placed under the control of the tetp-pCMV